

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARLES DONALD EBERHARDT,

Defendant.

4:15-CR-3080

FINAL ORDER OF
FORFEITURE

This matter is before the Court on the plaintiff's Motion for Final Order of Forfeiture (filing 58). On December 11, 2015, the Court entered a Preliminary Order of Forfeiture (filing 38) pursuant to 18 U.S.C. § 2253, based upon the defendant's plea of guilty to Count II of the indictment (filing 1), which charged him with knowingly possessing or attempting to possess one or more items which contained visual depictions of minors engaged in sexually explicit conduct, in violation of 18 U.S.C. § 2252(a)(4)(B), and his admission of the forfeiture allegation contained in the indictment. By way of the Preliminary Order of Forfeiture, the defendant's interest in:

1. LG Tracfone and charger, serial #904CYEA0968724;
2. LG cell phone and charger, serial #106CYBD0597453;
3. Two (2) DVDs entitled "RussianBare.com";
4. Samsung model SCH-A570, serial #02802742096 cell phone;
5. Nokia model 2285 cell phone, serial #03815916187; and
6. E-Machines tower model EL1300G, serial #PTNAR0019180219D9000

(the "Subject Property"), was forfeited to the United States on the basis that it was used or was intended to be used to facilitate the violation alleged in Count II. Filing 38.

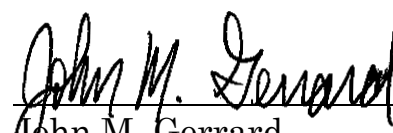
As directed by the order, a Notice of Criminal Forfeiture was posted beginning on December 12, 2015, on an official Internet government forfeiture site, www.forfeiture.gov, for at least 30 consecutive days, as required by Supp. Admiralty and Maritime Claims R. G(4)(a)(iii)(B). A Declaration of Publication (filing 57) was filed on February 18, 2016. The Court has been advised by the plaintiff that no petitions have been filed, and from a review of the Court file, the Court finds no petitions have been filed.

IT IS ORDERED:

1. The plaintiff's Motion for Final Order of Forfeiture (filing [58](#)) is granted.
2. All right, title, and interest in and to the Subject Property held by any person or entity are forever barred and foreclosed.
3. The property is forfeited to the plaintiff.
4. The plaintiff is directed to dispose of the property in accordance with law.

Dated this 23rd day of February, 2016.

BY THE COURT:

A handwritten signature in black ink, appearing to read "John M. Gerrard", is written over a horizontal line.

John M. Gerrard
United States District Judge